

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

KEITH HOOVER, et al.,)	3:06-CV-0212-HDM-VPC
)	
Plaintiff(s),)	<u>MINUTES OF PROCEEDINGS</u>
)	
vs.)	
)	DATED: July 25, 2007
JACKIE CRAWFORD, et al.,)	
)	
Defendant(s).)	
)	

PRESENT: THE HONORABLE VALERIE P. COOKE, MAGISTRATE JUDGE

Deputy Clerk: Lisa Mann Court Reporter: FTR

Counsel for Plaintiff(s): Donald York Evans

Counsel for Defendant(s): Colleen Hemingway

PROCEEDINGS: MOTION HEARING

9:06 a.m. Court convenes.

The Court addresses the parties regarding the purpose of this hearing and recites the chronology of events in this action.

On June 4, 2007, the defendants filed a motion to strike amended complaint (#62), the plaintiffs opposed (#63), and the defendants replied (#64).

The parties present their arguments regarding the defendants' motion to strike (#62).

IT IS ORDERED that the defendants' motion to strike amended complaint (#62) is DENIED. The plaintiffs second amended complaint (#61) shall stand. However, the Court expresses serious concern that there may not be a basis in law or fact for plaintiffs to name defendant Howard Stolnik, in his individual capacity. Plaintiffs are cautioned to carefully consider whether defendant Stolnik should be named in his individual capacity pursuant to Fed.R.Civ.P. 11.

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The Court admonishes plaintiffs' counsel to refrain from engaging in personal attacks and use of offensive language in future papers filed with the Court. Should this practice continue, the Court will strike such papers *sua sponte*.

IT IS FURTHER ORDERED that in the event the parties have a dispute concerning discovery, they shall personally meet and confer, either telephonically or in person pursuant to LR 26-7, and any discovery motions shall include a certification that counsel abided by this order. Correspondence, emails, or voice mails will not satisfy LR 26-1 in this proceeding.

9:39 a.m. Court adjourns.

THEREAFTER, counsel for the defendants advises that she accepts service of the second amended complaint as to defendant Howard Skolnik.

LANCE S. WILSON, CLERK

By: _____ /s/
Lisa Mann, Deputy Clerk